

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELIZABETH DE COSTER, *et al.*, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 2:21-cv-00693-JHC

STIPULATED MOTION AND  
ORDER REGARDING  
DOCUMENTS ALSO PRODUCED  
IN COORDINATED ACTIONS

DEBORAH FRAME-WILSON, *et al.*, on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 2:20-cv-00424-JHC

CHRISTOPHER BROWN, *et al.*, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 22-cv-00965-JHC

STIPULATED MOTION & ORDER RE: DOCUMENTS  
ALSO PRODUCED IN COORDINATED ACTIONS  
(Nos. 2:20-cv-00424-JHC; 2:21-cv-00693-JHC; 2:22-cv-00965-JHC)

**STIPULATED MOTION**

Pursuant to Local Civil Rules 7(d)(1) and 10(g), the Parties in the above-captioned actions, by and through their respective counsel, agree to the following stipulation regarding certain discovery in these matters.

The Parties agreed and the Court ordered that Amazon would produce to Plaintiffs in these matters certain documents Amazon produced in *People of the State of California v. Amazon.com, Inc.*, No. CGC-22-601826 (Cal. Super. Court, San Francisco) (“*California Action*”) and *FTC v. Amazon.com, Inc.*, No. 2:23-cv-01495-JHC (W.D. Wash.) (“*FTC Action*”). See *Frame-Wilson et al. v. Amazon.com, Inc.*, Order Re: Discovery Coordination, Class Certification Briefing Schedule & Rule 30(b)(6) Deposition, Dkt. 172 at 5.

The Court ordered that “Fact discovery in the above-captioned cases shall be coordinated with fact discovery” in the *California Action* and the *FTC Action*, and that the Parties “shall use all reasonable efforts to coordinate the depositions of Amazon witnesses and nonparty witnesses across all of the coordinated cases,” “absent either (i) agreement of the parties or (ii) a showing of good cause and order of the Court.” *Id.* at 5-6.

Accordingly, to facilitate the coordination of fact discovery and depositions of Amazon and nonparty witnesses across the coordinated cases, the Parties stipulate and agree as follows:

1. When Amazon produces to Plaintiffs in these matters documents that have been produced (by either Amazon or a nonparty) in the *California Action* or the *FTC Action*, Amazon will provide to Plaintiffs metadata field(s) indicating the Bates number(s) assigned to the documents in the *California Action* and/or the *FTC Action*.

2. If exhibits marked during the depositions of any Amazon or nonparty witnesses bear the Bates number(s) applied to the documents in the *California Action* and/or the *FTC Action* but do not bear the Bates number(s) applied to the documents in these matters, the Parties may, but are not required to, read the Bates number(s) from these matters into the record at the deposition. To the extent a participant in a coordinated deposition disagrees with the provisions described in Paragraph 2, the Parties agree to promptly meet and confer with each other and

1 other participants in the coordinated deposition to resolve any disagreements. The resolution of  
 2 any such disagreement shall be documented in writing and agreed to by all parties participating  
 3 in the coordinated deposition.

4 3. The Parties may, in connection with the preparation of trial exhibits in these  
 5 matters, replace the versions of the exhibits marked during the depositions of any Amazon or  
 6 nonparty witnesses with an identical version of the document that bears the Bates number(s) in  
 7 these matters.

8 4. The Parties will not object to the admissibility of an exhibit marked in the  
 9 deposition of any Amazon or nonparty witnesses, or corresponding testimony, solely on the  
 10 ground that the document marked during the deposition did not bear these matters' Bates  
 11 number(s) so long as the version produced in these Actions is identical to the version marked  
 12 during the deposition. The Parties reserve all rights to object to the admissibility of any exhibit or  
 13 deposition testimony on any other ground(s).

14  
 15 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

16 DATED: September 26, 2024

Respectfully submitted,

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**ORDER**

Pursuant to the Parties' above stipulation, IT IS SO ORDERED.

Dated this 26th day of September, 2024.

  
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John H. Chun  
UNITED STATES DISTRICT JUDGE